

Jan. 21. 2005 1:27PM

No. 0838 P. 11

Serial No.: 10/696,499
Attorney Docket No.: 100041-41185
Amendment

Remarks

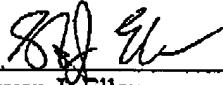
Claims 1, 8, 10, 13, 15 and 23 have been amended and claims 7, 21 and 27 have been cancelled. Review and reconsideration in light of the amendments are respectfully requested.

Claims 1-4, 6, 11, 12, 16-21 and 23-26 are rejected as being anticipated by U.S. Pat. No. 6,332,285 to Aaldenberg et al. The Office action indicates that claim 22 is allowed, and that claims 7-10, 13-15 and 27 include allowable subject matter. Accordingly, claim 1 has been amended to include the subject matter of claim 7, and claim 7 has been cancelled. Claims 8, 10 and 13 have been amended to accommodate the cancellation of claim 7. Claim 15 has been recast as an independent claim. Claim 23 has been amended to include the subject matter of claim 27, and claim 27 has been cancelled. Finally, independent claim 21 has been cancelled.

The application has thus been amended to capture the subject matter to be allowable. Accordingly, it is submitted that the application is now in a condition for allowance and a formal notice thereof is respectfully solicited.

The Commissioner is hereby authorized to charge any additional fees required, including the fee for an extension of time, or to credit any overpayment to Deposit Account 20-0809. The applicant(s) hereby authorizes the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension.

Respectfully submitted,



Steven J. Elleman

Reg. No. 41,733

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PLEASE STAMP OR OTHERWISE INDICATE DATE OF
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Papers: Response to OA (Amend., 7p), _____

Transmittal Form, Return Card _____

Inventor: Richied _____

Title: DIVIDER WITH MOVABLE TAB _____

Serial No.: 10/696,499 _____

Docket No.: 100041-41185 _____

MeadWestvaco Corporation _____

MPL:SJE:vrs _____

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Jan. 21, 2005 1:27PM

No. 0838 P. 13

**THOMPSON
HINE**

BRUSSELS CINCINNATI CLEVELAND COLUMBUS DAYTON NEW YORK WASHINGTON, D.C.

October 14, 2004

Daniel B. Reece IV
MeadWestvaco Corporation
P. O. Box 118005
Charleston, SC 29423-8005

RE: U.S. Patent Application for DIVIDER WITH MOBILE TAB

MeadWestvaco Ref. No.: E-20194
Our Ref. No.: 100041-41185

Dear Dan:

We have received, and enclose a copy of, a first Office action issued by the U.S. Patent and Trademark Office ("PTO") in the prosecution of the above-identified patent application. After briefly consulting with Brian Hazelwood, we have prepared, and enclose a copy of, an Amendment filed at the PTO earlier today which responds to the outstanding Office action. As you can see, the Amendment seeks to capture the subject matter indicated by the Office action to be allowable.

Please feel free to contact me if you have any questions or concerns, or if you would like to discuss this matter in greater detail.

Very truly yours,



Steven J. Elleman

Enclosures

c: Brian Hazelwood (w/encl.)

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